

## **SB 550 – Septic Tank Evaluation Program**

### **Problem Statement:**

The Department of Health, local governments, and members of the public have expressed concerns related to the Septic Tank Evaluation Program scheduled to be implemented on January 1, 2011. Concerns include costs to the state to implement the program and costs to the property owners required to pay for inspections and inspection fees.

### **Background:**

The Department of Health (department) is currently developing rules to implement those sections of SB 550 requiring the department to administer an onsite sewage treatment and disposal system evaluation program by January 1, 2011. The department has encountered some delays in the rulemaking process and does not intend for the final rule to become effective until sometime in late January or early February 2011. This timeframe assumes that there are no further delays or rule challenges.

### **Concerns Over Cost of Implementing Evaluation Program:**

Concerns have been expressed by the department, its Technical Review and Advisory Panel (TRAP), and the public regarding the unknown costs associated with the mandated inspection program. Concerns include costs to the state to implement the program and costs to property owners required to pay for the required inspections and inspection fees. Because of the short timeframe for developing the rule and implementing the program as detailed above, it appears the department will not complete the rule development process by the required January 1, 2011, implementation date, nor is there enough time for a sufficient cost estimate to be completed by the department before January 1, 2011.

### **Proposed Solution:**

Extending the implementation date of the program from January 1, 2011, to July 1, 2011 would allow sufficient time to ensure that cost estimates for implementing the program are accurately determined and that the rule is developed to implement the program in the most efficient and cost-effective manner possible. It will also provide the Legislature the opportunity to revisit the issue during the 2011 Legislative Session.